

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

DANIEL NOTESTEIN, BLOCKTRADES
INTERNATIONAL, LTD., ANDREW
CHANEY, SZYMON LAPINSKI, ADAM
DODSON, ELMER LIN, DANIEL
HENSLEY, MICHAEL WOLF, MATHIEU
GAGNON, and MARTIN LEES,

Plaintiffs/Counter-
Defendants,

v.

Civil Action No.: 7:20CV00342

BITTREX, INC., and

Defendant/Counter-
Plaintiff,

STEEMIT, INC.,

Defendant.

BITTREX, INC.,

Cross-Plaintiff,

v.

STEEMIT, INC.,

Third-Party
Defendant/Counter-
Plaintiff.

STEEMIT, INC.,

Cross-Plaintiff,

v.

JOHN DOES 1-10,

Third-Party Defendants.

STEEMIT, INC.'S MOTION TO STRIKE PLAINTIFFS' UNTIMELY JURY DEMAND

Defendant Steemit, Inc. (“Steemit”), by counsel, pursuant to Rules 38 and 39 of the Federal Rules of Civil Procedure, and in accordance with Local Civil Rule 11, files this Motion to Strike Plaintiffs’ Untimely Jury Demand. As explained in Steemit’s Memorandum in Support, the Court should strike Plaintiffs jury demand from the Amended Complaint, (ECF No. 93), because Plaintiffs failed to timely demand a jury trial, *see* Fed. R. Civ. P. 38(b), and have therefore waived the opportunity to do so now. Fed. R. Civ. P. 38(d).

WHEREFORE, for these reasons – and for the reasons stated in its Memorandum in Support – Steemit respectfully requests that the Court: (1) grant this Motion to Strike Plaintiffs’ Untimely Jury Demand; (2) strike the jury demand from Plaintiffs’ Amended Complaint; (3) determine that no jury trial should be permitted in this action; and (4) award Steemit such further relief as the Court deems appropriate.

Dated: May 27, 2022

Respectfully submitted,

STEEMIT, INC.

By: /s/ Michael J. Finney

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Counsel for Steemit, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of May 2022, a true and correct copy of the foregoing was filed with the Clerk of Court using the CM/ECF system, which provided electronic service to all counsel of record.

/s/ Michael J. Finney